

III. REMARKS

Claims 1-5 and 8-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Wang.

Claims 1 and 26 have been amended to specify that the device controlling access (referred to as "another party" in claim 1 and the "access device" in claim 26) does not have wireless communication means operating at the frequency at which the key is provided to the user device (referred to as "access device" in claim 1 and "wireless communication device" in claim 26). Support for this amendment is based on Figure 3 and also the sections of the description at page 1, lines 17 to 23, page 10, lines 3 to 5, and page 12, lines 5 and 6. Figure 3 shows no link between the accessed entity and the server that provides the key to the user device. Page 1, lines 17 to 23, refers to the disadvantage with the prior art having to provide a database for each accessed entity to keep a record of authorized users (implying that the invention relates to a technique for which this is not a feature). Page 10, lines 3 to 5, refers to how the accessed entity itself or how such information may be provided by the user device via Bluetooth connection (again implying the accessed entity does not have additional communication means by which clock information could be accessed). Page 12, lines 5 and 6, refers to how the need for additional infrastructure to connect the accessed entities (Bluetooth devices) can be avoided.

The Examiner has rejected claims 1 and 26 partly on the reference at col. 19, line 66, to col. 20, line 3, of Wang as to how the Point-of-Sale terminal described at col. 19, lines 15 to 64, also has short range wireless communication capability such as Bluetooth, and how the transaction can be conducted locally through a Bluetooth port of the user device. Apparently the

Examiner is suggesting that this section implies that the user device ("PEAD") in Wang) also has both standard rf communication capability and Bluetooth capability. However, Wang does not provide any motivation to provide the user device with both standard rf and Bluetooth communication capabilities if the accessed entity (Point-of-Sale terminal in Wang) does not have both such communication capabilities. In particular, the prior art lacks the teaching of the present application to provide a technique by which there is no need for the accessed entity to have an independent wireless link to the server providing the key to the user device.

Claim 23 has been amended to specify that the time-related information specifies a time period for which the key is valid. This amendment is based on the paragraph bridging pages 9 and 10 of the description. The Examiner rejected existing claim 23 on the basis of the allegation that the existing reference to "providing time-related information to the accessed entity" covers the step described at col. 7, lines 52 to 56, of Wang of appending a time stamp to electronic transaction data prior to retransmitting the same back to an electronic transaction system. Specifying in more detail as in amended claim 23 how the time related information relates to the key serves to more clearly distinguish over the above-mentioned cites section of Wang.

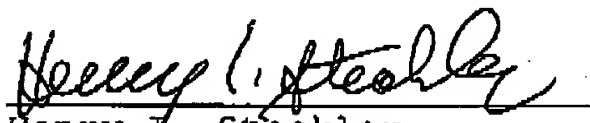
Since Wang fails to disclose the above limitations, the rejection of claims 1-5 and 8-26 under 35 USC 102 as anticipated by Wang should be withdrawn.

Further, since Wang does not suggest these limitations, these claims are unobvious over it.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment of \$120.00 for a one month extension of time and any other fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,


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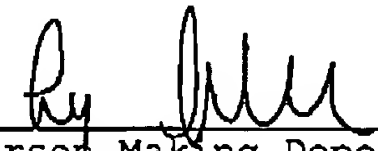
Sept. 16, 2005
Date

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